

 <p><b>RESCISSION OF PREVIOUS NONPUBLICATION REQUEST</b> (35 U.S.C. 122(b)(2)(B)(ii)) <b>AND, IF APPLICABLE, NOTICE OF FOREIGN FILING</b> (35 U.S.C. 122(b)(2)(B)(iii))</p> <p>Send completed form to: <b>Mail Stop PG Pub</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 305-8568</p>		Application Number		10/696,381		
		Filing Date		October 28, 2003		
		First Named Inventor		Albert K. Chin		
		Title	Longitudinal Dilator			
		Atty Docket Number		80121-08565		
		Group Art Unit		3731		
Examiner		Not Yet Assigned				

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request. A PCT application was filed on January 13, 2004 from a CIP application which claimed priority to the common parent application of the present application. The delay in submitting this rescission was unintentional.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided later than forty-five (45) days after the date of such foreign or international filing. By this Rescission and Notice and attached Supplement to Petition for Revival, Applicant submits that the present application is not abandoned.

*If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).*

8/29/06

Date

650.335.7296

Telephone Number

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Typed or printed name

**This request must be signed in compliance with 37 CFR 1.33(b).**

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

### **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Albert C. Smith		
Signature	<u>A.C. Smith</u>	Date	<u>8/29/06</u>